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December 12, 2022

**BY ECF**

Hon. Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, New York 10007

**MEMO ENDORSED**

Re: **USA v. Nadine Wade**  
**21-cr-472(KPF)**

Dear Judge Failla,

As the Court is aware, I am Nadine Wade's prior CJA counsel in the above captioned matter. In relation to Ms. Wade's pending motion to withdraw her plea, the Court ordered me to submit an affidavit. The Affidavit was due on Friday, December 9, 2022. As of today, Monday, December 12, 2022, I have not submitted the affidavit. My sincerest apologies to the Court and the parties.

Last week, I was ill in the early part of the week and out sick from work. Later in the week I had to attend to an unexpected personal matter. Additionally, while dealing with these issues, I had various client obligations. Nonetheless, there is no excuse for missing the Court's deadline nor failing to seek an adjournment prior to the deadline.

In addition to the Court accepting my apology, I am requesting an extension to submit the affidavit until tomorrow, Tuesday December 13, 2022.

If the Court requires further information, I am more than happy to discuss directly with the Court or provide further details in a sealed filing.

I thank the Court for its understanding and patience in this matter.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'al BT', written over a horizontal line.

Andrew M. J. Bernstein, Esq.

Partner

ARMSTRONG TEASDALE LLP

Application GRANTED. Mr. Bernstein shall submit his affidavit by December 13, 2022.

The Clerk of Court is directed to terminate the pending motion at docket entry 194.

Dated: December 12, 2022  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE